

01/18/02

jc355 U.S. PTO

PATENT

Case Docket No. AVANIR.079RX  
Date: January 17, 2002  
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**ASSISTANT COMMISSIONER FOR PATENTS**  
**WASHINGTON, D.C. 20231**

Sir:

Transmitted herewith for filing is the reissue application of

1046 U.S. PRO  
10/052698  
01/18/02

Inventors: **Richard Alan Smith and Jonathan M. Licht**

For: **DEXTROMETHORPHAN AND AN OXIDASE INHIBITOR FOR  
TREATING INTRACTABLE CONDITIONS**

Enclosed are:

- (X) Preliminary Amendment;
- (X) A copy of U.S. Patent No. 5,863,927, as originally issued, including the specification, claims, and drawings as required;
- (X) Reissue Application Declaration by the Assignee;
- (X) Reissue Application Consent of Assignee;
- (X) Statement Under 37 C.F.R. §3.73(b);
- (X) Establishment of Right of Assignee to Take Action and Revocation and Power of Attorney;
- (X) Offer to Surrender Under 37 C.F.R. §1.178;
- (X) This application qualifies for Small Entity Status;
- (X) Return prepaid postcard;
- (X) A check in the amount of \$370.00 to cover the filing fee is enclosed;
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 11-1410.

  
Mark R. Benedict  
Registration No. 44,531  
Attorney of Record

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name person signing: **Richard Alan Smith**

Signature



Date

119101

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## BOX REISSUE

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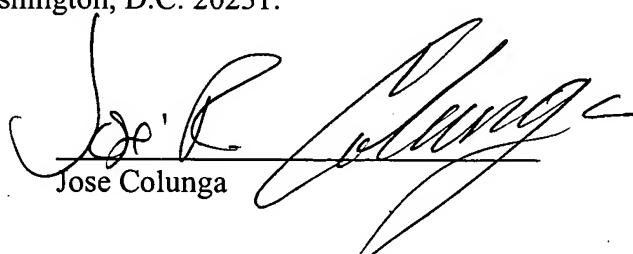
### CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Attorney Docket No. : AVANIR.079RX  
Applicants : Smith, et al.  
For : DEXTROMETHORPHAN AND AN  
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INTRACTABLE CONDITIONS  
Attorney : Mark R. Benedict  
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Date of Deposit : January 18, 2002

I hereby certify that the accompanying

Transmittal letter; Preliminary Amendment in 3 pages; Copy of U.S. Patent No. 5,863,927 in 11 pages; Reissue Application Declaration by the Assignee in 2 pages; Reissue Application Consent of Assignee in 1 page; Statement Under 37 C.F.R. §3.73(b) in 1 page; Establishment of Right of Assignee to Take Action and Revocation and Power of Attorney in 2 pages; Offer to Surrender in 1 page; Small Entity Statement; Check for Filing Fee in the amount of \$370.00; Return Prepaid Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Jose Colunga

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